

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
 (Not for submission under 37 CFR 1.99)

Application Number	10612179
Filing Date	2003-03-06
First Named Inventor	Roland Kreutzer
Art Unit	1635
Examiner Name	Tracy Ann Vivlemore
Attorney Docket Number	A2038-706120

U.S. PATENTS						<input type="button" value="Remove"/>
Examiner Initial*	Cite No	Patent Number	Kind Code†	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
1	4987071			1991-01-22	CECH ET AL.	
2	5107065			1992-04-21	SHEWMAKER ET AL.	
3	5190931			1993-03-02	INOUE	
4	5208149			1993-05-04	INOUE	
5	5254678			1993-10-19	HASELOFF ET AL.	
6	5674683			1997-10-07	KOOL	
7	5719271			1998-02-17	COOK ET AL.	
8	5731181			1998-03-24	KMIEC	

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	10612179
Filing Date	2003-03-06
First Named Inventor	Roland Kreutzer
Art Unit	1635
Examiner Name	Tracy Ann Vivlemore
Attorney Docket Number	A2038-706120

9	5939262		1999-06-17	PASLOSKE ET AL..	
10	6025167		2000-02-15	CECH ET AL..	
11	6573046		2003-06-03	KMIEC ET AL..	

If you wish to add additional U.S. Patent citation information please click the Add button.

**U.S. PATENT APPLICATION PUBLICATIONS**

Examiner Initial*	Cite No	Publication Number	Kind Code <sup>1</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
1		20060258608	A1	2006-11-16	MEYERS	

If you wish to add additional U.S. Published Application citation information please click the Add button.

**FOREIGN PATENT DOCUMENTS**

Examiner Initial*	Cite No	Foreign Document Number <sup>3</sup>	Country Code <sup>2</sup> <sup>4</sup>	Kind Code <sup>4</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>
1		196 31 919 C2	DE					<input type="checkbox"/>
2		100 80 167 B4	DE					<input type="checkbox"/>
3		00/44895	WO			KREUTZER ET AL..		<input checked="" type="checkbox"/>

If you wish to add additional Foreign Patent Document citation information please click the Add button

**NON-PATENT LITERATURE DOCUMENTS**

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	10612179
Filing Date	2003-03-06
First Named Inventor	Roland Kreutzer
Art Unit	1635
Examiner Name	Tracy Ann Vivlemore
Attorney Docket Number	A2038-706120

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	TS
	1	Notice of Opposition by Sima Therapeutics against European Patent No. 11 44 623 (May 28, 2003).	<input type="checkbox"/>
	2	Notice of Opposition by Dr. Martin Grund against European Patent No. 11 44 623 (May 28, 2003).	<input type="checkbox"/>
	3	Notice of Opposition by Atugen AG against European Patent No. 11 44 623 (May 28, 2003).	<input type="checkbox"/>
	4	Notice of Opposition by Aventis against European Patent No. 11 44 623 (May 28, 2003).	<input type="checkbox"/>
	5	Notice of Opposition by AstraZeneca against European Patent No. 11 44 623 (May 28, 2003).	<input type="checkbox"/>
	6	Notice of Opposition by Isis Pharmaceuticals against European Patent No. 11 44 623 (May 28, 2003).	<input type="checkbox"/>
	7	Notice of Opposition by Novartis against European Patent No. 11 44 623 (May 28, 2003).	<input type="checkbox"/>
	8	Notice of Opposition by Jenissen Pharmaceuticals against European Patent No. 11 44 623 (May 28, 2003).	<input type="checkbox"/>
	9	Submission by Alnylam Europe in opposition proceedings for European Patent No. 11 44 623 (December 7, 2004).	<input type="checkbox"/>
	10	Submission by Sima Therapeutics in opposition proceedings for European Patent No. 11 44 623 (April 20, 2006 – Uexküll & Stolberg).	<input type="checkbox"/>

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	10612179
Filing Date	2003-03-06
First Named Inventor	Roland Kreutzer
Art Unit	1635
Examiner Name	Tracy Ann Vivlemore
Attorney Docket Number	A2038-706120

11	Submission by Sima Therapeutics in opposition proceedings for European Patent No. 11 44 623 (April 20, 2006 – Isenbruck, Bosl, Horshchler, Wichmann, Huhn).	<input type="checkbox"/>
12	Submission by atugen in opposition proceedings for European Patent No. 11 44 623 (April 21, 2006).	<input type="checkbox"/>
13	Submission by Alnylam Europe in opposition proceedings for European Patent No. 11 44 623 (April 21, 2006).	<input type="checkbox"/>
14	Submission by Alnylam Europe in opposition proceedings for European Patent No. 11 44 623 (June 7, 2006).	<input type="checkbox"/>
15	Minutes of the Oral Proceedings in opposition proceedings for European Patent No. 11 44 623 (June 22, 2006).	<input type="checkbox"/>
16	Interlocutory Decision and Druckexemplar in opposition proceedings for European Patent No. 11 44 623 (September 25, 2006).	<input type="checkbox"/>
17	Submission by Alnylam Europe in opposition proceedings for European Patent No. 11 44 623 (June 25, 2007).	<input type="checkbox"/>
18	Submission by Sima Therapeutics in opposition to European Patent No. 1 144 623 (June 12, 2008).	<input type="checkbox"/>
19	Communication of Technical Board of Appeal in opposition to European Patent No. 1 144 623 (September 22, 2008). (translation attached)	<input checked="" type="checkbox"/>
20	Submission by Atugen AG in opposition to European Patent No. 1 144 623 (November 7, 2008).	<input type="checkbox"/>
21	Submission by Sima Therapeutics in opposition to European Patent No. 1 144 623 (November 6, 2008).	<input type="checkbox"/>

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	10612179
Filing Date	2003-03-06
First Named Inventor	Roland Kreutzer
Art Unit	1635
Examiner Name	Tracy Ann Vivlemore
Attorney Docket Number	A2038-706120

22	Submission by Alnylam Pharmaceuticals in the opposition proceedings of European Patent No. 1 144 623 (November 7, 2006). (translation attached)	<input checked="" type="checkbox"/>
23	Notice of opposition Quark Biotech against European Patent No. 1 214 945 (March 7, 2006).	<input type="checkbox"/>
24	Notice of opposition by Sima Therapeutics against European Patent No. 1 214 945 (March 7, 2006).	<input type="checkbox"/>
25	Notice of opposition by Abbott Laboratories against European Patent No. 1 214 945 (March 8, 2006).	<input type="checkbox"/>
26	Notice of opposition by Atugen against European Patent No. 1 214 945 (March 8, 2006).	<input type="checkbox"/>
27	Reply to notice of opposition by Alnylam Europe in the opposition proceedings of European Patent No. 1 214 945 (December 28, 2006).	<input type="checkbox"/>
28	Submission by Abbott Laboratories in the opposition proceedings of European Patent No. 1 214 945 (October 30, 2007).	<input type="checkbox"/>
29	Submission by Sima Therapeutics in the opposition proceedings of European Patent No. 1 214 945 (January 4, 2008).	<input type="checkbox"/>
30	Summons to attend oral proceedings in the opposition proceedings of European Patent No. 1 214 945 (May 6, 2008).	<input type="checkbox"/>
31	Submission by Alnylam Pharmaceuticals in the opposition proceedings of European Patent No. 1 214 945 (November 20, 2008)	<input type="checkbox"/>
32	Submission by Sima Therapeutics in the opposition proceedings of European Patent No. 1 214 945 (November 20, 2008)	<input type="checkbox"/>

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	10612179
Filing Date	2003-03-06
First Named Inventor	Roland Kreutzer
Art Unit	1635
Examiner Name	Tracy Ann Vivlemore
Attorney Docket Number	A2038-706120

33	Submission by Silence Therapeutics in the opposition proceedings of European Patent No 1 214 945 (November 20, 2008).	<input type="checkbox"/>
34	Submission by Abbott Laboratories in the opposition proceedings of European Patent No. 1 214 945 (November 20, 2008).	<input type="checkbox"/>
35	Statement of Grounds and Particulars of Opposition to Australian Patent Application No. 2005201044, filed by Sirna Therapeutics (December 1, 2008).	<input type="checkbox"/>
36	AGAMI, "RNAi and related mechanisms and their potential use for therapy" Current Opin. in Chemical Biology 6:829-834, 2002.	<input type="checkbox"/>
37	BOESE et al., "Mechanistic Insights Aid Computational Short Interfering RNA Design" Methods in Enzymology 392:73-95, 2005.	<input type="checkbox"/>
38	BRUENIG, "Plant Gene Silencing Regularized" Proc. Natl Acad Science 95:13349-13351, 1998.	<input type="checkbox"/>
39	CAMERON et al., "Inhibition of Gene Expression by a Short Sense Fragment" Nucleic Acids Research, 19:469-475, 1991.	<input type="checkbox"/>
40	CAPLEN et al., "dsRNA-Mediated Gene Silencing in Cultured Drosophila Cells: a Tissue Culture Model for the Analysis of RNA Interference" Gene 252:95-105, 2000.	<input type="checkbox"/>
41	CAPLEN, "RNA as a Gene Therapy Approach" Expert. Opin. Biol. Ther. 3:575-586, 2003.	<input type="checkbox"/>
42	CHECK, "RNAi to the rescue?" Nature 425:10-12, 2003.	<input type="checkbox"/>
43	COBURN et al., "siRNAs: a new wave of RNA-based therapeutics" Jour. Antimicrobial Chemotherapy 51:753-756, 2003.	<input type="checkbox"/>

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	10612179
Filing Date	2003-03-06
First Named Inventor	Roland Kreutzer
Art Unit	1635
Examiner Name	Tracy Ann Vivlemore
Attorney Docket Number	A2038-706120

44	COTTEN et al., "Ribozyme Mediated Destruction of RNA in vivo" EMBO J. 8:3861-3866, 1989.	<input type="checkbox"/>
45	CROOKE, "Basic Principles of Antisense Therapeutics" Antisense Research and Application, Chapter 1, Springer-Verlag, New York, 1998.	<input type="checkbox"/>
46	Declaration of David M. Stalker filed in opposition proceedings for Australian Patent 778474 (November 4, 2008) (45 pages).	<input type="checkbox"/>
47	Declaration of David M. Stalker filed in opposition proceedings for Australian Patent 778474 (November 4, 2008) (17 pages).	<input type="checkbox"/>
48	Declaration of David Keith Myers filed in opposition proceedings for Australian Patent 778474 (November 4, 2008).	<input type="checkbox"/>
49	Exhibit 1 of David Keith Myers Declaration filed in opposition proceedings for Australian Patent 778474 (November 4, 2008).	<input type="checkbox"/>
50	Exhibit 2 of David Keith Myers Declaration filed in opposition proceedings for Australian Patent 778474 (November 4, 2008).	<input type="checkbox"/>

If you wish to add additional non-patent literature document citation information please click the Add button

**EXAMINER SIGNATURE**

Examiner Signature	Date Considered
--------------------	-----------------

**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.